[COPY OF ORDER OF THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT DATED AUGUST 7, 1981]

[STAMP]
U.S. Court of Appeals
Filed
August 7, 1981
Gilbert F. Ganucheau
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT
UNIT A
No. 79-2382

MICHAEL E. SPIESS, JACK K. HARDY
and BENJAMIN F. ROUNTREE,
Plaintiffs-Appellees,

versus

C. ITOH & COMPANY (AMERICA) INC.,
Defendant-Appellant.

Appeal from the United States District Court for the
Southern District of Texas

ON PETITION FOR REHEARING AND PETITION FOR REHEARING EN BANC
(Opinion *April 24*, 198*1*, 5 Cir., 198____, ____ F.2d ____).

(August 7, 1981)

Before: BROWN, AINSWORTH, CHARLES CLARK, GEE, RUBIN, GARZA, REAVLEY, POLITZ, RANDALL, TATE, SAM D. JOHNSON and WILLIAMS, Circuit Judges.

BY THE COURT:

A member of this Administrative Unit of the Court in active service having requested a poll on the application for rehearing en banc and a majority of the judges in this Administrative Unit in active service having voted in favor of granting a rehearing en banc,

IT IS ORDERED that the cause shall be reheard by this Administrative Unit of the Court en banc with oral argument on a date hereafter to be fixed. The Clerk will specify a briefing schedule for the filing of supplemental briefs.